REMARKS

By this Amendment, Claim 6, the sole claim in the case, has been further substantially amended.

Claim 6 (currently amended) recites a unique combination of structural elements and cooperative relationships therebetween which are not taught or suggested by Elmer et al, U.S. Patent No. 6,457,476, or other known prior art. Elmer et al is yet another newly cited reference. It is no more successful as a reference than others previously cited and/or applied in connection with this case.

Claim 6 now recites a handheld animal bathing utensil for connection to a source of pressurized water through a hose or other supply line and for simultaneously delivering a plurality of streams of flowing water to an animal's fur coat, some of the streams delivered to the base of the animal's fur coat and other of the streams simultaneously delivered to the outer portion of the animal's fur coat to displace entrapped insulation air in the animal's fur coat and effectively bathe the animal.

The specific structure now set forth in the claim is particularly adapted for the intended use of effectively bathing an animal having fur.

The claim now recites that the housing has an outer periphery and a substantially planar housing surface with an inner housing surface portion and an outer peripheral housing

surface portion bounded by the outer periphery surrounding the inner housing surface portion.

The claim also now recites an array of elongated, spaced, rigid tubular extensions projecting outwardly from the outer peripheral housing surface portion and in fluid flow communication with the chamber, the elongated, spaced, rigid tubular extensions being rigid over the entire lengths thereof and having parallel primary axes disposed orthogonally relative to the substantially planar housing surface and further having distal ends.

The claim, as amended, recites that the elongated, spaced, rigid tubular extensions are positioned along the entire length of the outer periphery of the housing surrounding the array of spaced ports.

The claim now also states that the elongated, spaced, rigid tubular extensions are free of openings along the sides thereof and have water discharge openings formed in the distal ends spaced from the ports and disposed generally in a second common plane spaced from and disposed outwardly of the first common plane and ports.

It is recited that the elongated, spaced, rigid tubular extensions are of sufficient length to penetrate the animal's fur coat and deliver water from the chamber to the base of the animal's fur coat through the water discharge openings in the

distal ends thereof in directions co-axial with the primary axes when the ports deliver water from the chamber to the outer fur coat.

A unique function results from the claimed combination of structural elements now set forth in the claim. As stated, the elongated, spaced, rigid tubular extensions are operable to create a cushion of water over the animal's skin reducing friction between the utensil and the animal and cooperable with the animal's fur coat to reduce pressure and velocity of water after exiting the ports and water discharge openings at the distal ends to reduce splashing and enabling gravity to direct excess water from the bathing utensil down a side or sides of the animal.

It is further recited that the ports are operable to relieve water pressure in the chamber when the water discharge openings at the distal ends of the elongated, spaced, rigid tubular extensions are blocked.

Claim 6 now also recites that the handheld pet animal bathing utensil additionally includes a control valve operatively associated with the housing for controlling water flow through the water exit ports and the water discharge openings.

The Elmer et al device is of a completely different construction than that specifically set forth in Claim 6. Furthermore, the Elmer et al device cannot possibly operate in

the manner of applicant's invention and is not at all suitable for bathing an animal.

Elmer et al discloses tines which have tips and enlarged fin sections, the tips of the tines suitably being relatively flexible. The liquid discharge apertures in the tines of Elmer et al are located on the sides of the tines. Therefore, liquid will be directed outwardly and substantially perpendicular to the tines and not directed toward the animal's skin. Such an arrangement would not effectively deliver water to the base of an animal's fur coat, as compared to the water discharge openings in applicant's device which are located in the distal ends of rigid tubular extensions and deliver water in directions co-axial with the primary axes of the elongated, spaced, rigid tubular extensions, i.e. directly toward the animal's skin. This problem is exacerbated in Elmer et al due to the suggestion in Elmer et al that the outer tips of the tines flex. This would make it difficult to bring the tines through the sometimes heavy fur coat of an animal.

Yet another problem with Elmer et al is in the use of the enlarged fin sections in the tines located adjacent to the device base. This restricts movement of the liquid applicator product of Elmer et al in directions essentially parallel to the orientation of the enlarged fin sections. This must be compared with applicant's claimed invention wherein the elongated, spaced,

rigid tubular extensions enable the bathing utensil to be moved in any direction, as desired.

Yet another major distinguishing feature of applicant's claimed invention as compared to the liquid applicator device of Elmer et al is the positioning of the array of elongated, spaced, rigid tubular extensions along the entire length of the outer periphery of the housing surrounding the array of spaced ports. The elongated, spaced, rigid tubular extensions are thus not only operable to create a cushion of water over the animal's skin reducing friction between the utensil and the animal but also are cooperable with the animal's fur coat to reduce pressure and velocity of water after exiting the ports and water discharge openings at the distal ends to reduce splashing and enabling gravity to direct excess water from the bathing utensil down a side or sides of the animal. There is no suggestion whatsoever of such an arrangement in Elmer et al, wherein the tines are arrayed in a straight line path along the center of the device, openings in the base also arranged in a straight line and located in the center of the device between the tines.

The applicator of Elmer et al is not at all suitable for bathing an animal but is specifically adapted for applying a limited amount of liquid products, such as dye or coloring to a person's hair. The device is used with a handheld squeeze bottle or the like. There is no suggestion in Elmer et al that the

device is connectable to a source of pressurized water through a hose or other supply line. Claim 6 recites that the bathing utensil is for connection to a source of pressurized water through a hose or other supply line and the claim also recites that the handheld pet animal bathing utensil additionally includes a control valve operatively associated with the housing for controlling water flow through the water exit ports and the water discharge openings. There is no suggestion whatsoever of such structure in Elmer et al.

The other references of record again have been studied and are not considered relevant to the invention as now claimed. Elmer et al fails as a reference as do the prior cited references.

It is believed that this application is now in condition for allowance. Passage of this case to issue is earnestly solicited.

Respectfully submitted,

By: _____

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